

## MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

August 15, 1974

1:00 P.M.

Electric Auditorium  
301 West Avenue

The meeting was called to order with Mayor Butler presiding.

## Roll Call:

Present: Councilmen Binder, Dryden, Handcox, Lebermann, Mayor Butler,  
Mayor Pro Tem Love

Absent: Councilman Friedman

The Invocation was delivered by REVEREND CHARLES E. RUNK, Shettles  
Memorial United Methodist Church.

## UNITED CEREBRAL PALSY WEEK

Mayor Pro Tem Love read and then presented a proclamation to Messrs. John Thompson, President, United Cerebral Palsy Telethon in Capitol area, and Fred Hornaday, Telethon Chairman in Capitol area, proclaiming the week of August 12-18, 1974, as "United Cerebral Palsy Week," and urged all citizens to pledge their assistance to those who have cerebral palsy. It was noted that Councilman Lebermann was honorary Telethon Chairman this year and that the Telethon would begin Saturday at 10:00 p.m. and run through until Sunday at 6:00 p.m. in the Stephen F. Austin Hotel Ballroom. Mr. Thompson thanked the Council and stated that this would be covered by KVUF, Channel 24 on television, and KIXL and KRMH on the radio. He invited the Council to attend and give their moral support.

## HEARING ON APPEAL OF SPECIAL PERMIT

Mayor Butler opened the public hearing scheduled for 1:00 p.m. on an appeal by Messrs. Joe Riddell and Michael Domjan of the decision of the Planning Commission granting a Special Permit to Sid Jagger, Jagger Associates, Inc., 2901 Barton Skyway, for the purpose of building 280 apartment unit dwellings known as "The Woods" (Case No. CP14-74-26). Mr. Riddell reviewed the application. He felt that the permit should be denied in that the proposed development had not been approved under the procedures of the creek ordinance, which was designed

to prevent unnecessary destruction of the natural and traditional character of the waterways and to regulate any proposed development on land adjacent to or crossed by a waterway and to require that any proposed development preserve the natural and traditional characteristics of the land and waterway to the greatest extent feasible. With this in mind, he suggested that it might be necessary for any developer to alter the location and size of his building, the parking areas, areas to be filled or graded, and points of ingress or egress. Because the site plan was associated with the special permit, he felt that this would "lock in" granting a special permit before the creek ordinance considerations were taken into account, which he felt unfairly prejudiced the process. He also felt that maintenance of the water quality was essential to the preservation of the natural and traditional characteristics of Barton Creek and that the creek ordinance was an approach vehicle to address runoff problems. He quoted from an article in the Daily Texan in which Mr. Dick Lillie, Planning Department Director, was quoted as saying the following: "Riddell has a very good point. The creek permit should be a part of the special permit process. It does not necessarily have to be issued before the special permit, but it certainly should not be issued after."

He further felt that this permit should be denied based on the effect on the quality of life of present and future Austinites. Under Section 45-29 of the City Code he noted that among some of the things the Planning Commission should take into consideration was "such other matters as will secure and protect the public health, safety, morals, and general welfare." He believed due consideration to public health and general welfare dictated that this permit be denied because of the amount of pollutants contained in any storm runoff from this site. He quoted from an Environmental Protection Agency publication entitled "Water Pollution Aspects of Street Surface Contaminates":

"...The runoff from the first hour of a moderate to heavy storm would contribute considerably more polluttional load than would the City's sanitary sewage during the same period of time..."

He stated that this water that would runoff of this proposed development would go almost directly into Barton Creek.

He reviewed the areas that would be effected by the runoff:

1. Lower stretches of Barton Creek that served as recharge zone for the Edwards aquifer.
2. The swimming hole upstream of the Creek.
3. The springs fed by the recharge areas along the Creek.

He suggested that a run-off retention facility such as a holding pond be used to catch the rain water that would first wash off the proposed development.

He requested that the Council deny the permit so that the project could be redesigned and consideration be given to preservation of natural characteristics of the waterway as stated in the creek ordinance by containing the runoff.

Mr. Michael Domjan, member of the Barton Creek Citizens Association, appeared to speak his own view but noted that the membership was in general agreement with his position. He stated that the basis for their opposition was that the density was too high for the area involved in that the request was for "BB" which would allow development from single-family homes to apartment buildings, and he felt that this high density would create undue noise in the area. He noted that one of the factors considered in granting a special permit was the glare of vehicular and stationary lights brought in by the project. He added that the applicant had failed to indicate where the stationary lights would be located and what type they would be. He also mentioned the aspect of creating drainage problems as reviewed by Mr. Riddell.

He indicated that they were not opposed to all development but felt that the area should not receive such extensive use. He felt that other projects could be developed with much less impact; however, he stated that the Association was not prepared to make any recommendation as to which alternatives should be pursued. He suggested that one of the things that could be done to substantially improve the project would be to restrict all building to 2-story only so that only 6 would have to be reduced to effect this change (30 out of 280 total units). He felt that this would make the project much more harmonious with the Barton Hills area.

Mr. Sid Jagger, Jagger Associates, Inc., reviewed the project and its location on maps and some of the processes involved to plan this project:

1. Made detailed topography survey identifying all trees, out-cropping of rock, and terrain. He noted that in planning they had located the buildings in such a way so as not to cut down any major trees.
2. Developed a system whereby the area not going to be developed would be roped off, and anyone found in the area would be fired.
3. Developed a post and beam construction on top of the ground where they would not have to disturb the ground to build.

He agreed with Mr. Riddell's comment that they should have a creek permit before a special permit; however, he noted that there had to be detailed drawings before a creek permit could be obtained, and they could not commit themselves to this expense without knowing whether or not they could even build. He pointed out that in a 100-year flood there would be 2 inches of water across the 5-foot bottom of the drainage ditch, and it had been his understanding that this was not what the creek ordinance spoke to.

In reference to drainage problems, he noted that they had conducted studies to determine the amount of coverage in an area by development:

Percentage of land effected:

1. 41.67% for single-family development
2. 44.43% for townhouses
3. About 60% for duplexes

4. 47.6% for this project.

OR

1. 20,000 acres of land in Austin for houses and duplexes
2. 1,500 acres for apartments

In response to Councilman Binder's question, Mr. Dick Lillie, Planning Department Director, indicated that there had been no departmental requirements with regard to grease traps or ponding to control runoff. He felt that this project was very compatible with the area with respect to storm runoff and land coverage. He noted that to his knowledge there had been no projects approved for this area that had required grease traps. In response to Councilman Binder's further question, Mr. Lillie stated that the owner had agreed to work with the Parks and Recreation Department in setting land aside for the greenbelt and had met with other requirements with respect to the design; and he, therefore, did not see anything wrong with this project. He pointed out that they had been referred to the Engineering Department to determine whether or not a creek permit will be needed, and this decision had not been reached as yet.

In response to Councilman Binder's question, Mr. Lillie stated that this would set a precedent for the area and that development of this kind will have to be handled very carefully. He felt that there would be storm water runoff regardless of the type of development and that the important thing was that this project was designed properly with the Engineering Department. He noted that there was runoff prior to any development and that development should comply with the City's ordinance dealing with storm water runoff so that the impact on the Creek would have the least significance as possible.

Councilman Lebermann wondered if the ordinance concerning industrial waste dealing with sand traps' handling runoff from parking lots should be extended along the creeks and waterways. Mr. Lillie felt that whatever the City could do to reduce pollutants should be done but added that there were no such ordinances. He noted that the Master Drainage Study under preparation by the Engineering Department would probably be speaking to ponding and grease traps and all these kinds of tools to reduce the level of pollutants going through the creeks.

Mayor Pro Tem Love moved that the Council uphold the recommendation of the Planning Commission granting a special permit to Sid Jagger, Jagger Associates, Inc., for the purpose of building a 280-apartment unit known as "The Woods." The motion, seconded by Councilman Handcox, carried by the following vote:

Ayes: Mayor Pro Tem Love, Councilmen Dryden, Handcox, Lebermann,  
Mayor Butler  
Noes: Councilman Binder  
Absent: Councilman Friedman

APPROVAL OF MINUTES

Mayor Pro Tem Love moved that the Council approve the Special Meeting Minutes of August 7, 1974 and the Regular Meeting Minutes of August 8, 1974. The motion, seconded by Councilman Lebermann, carried by the following vote:

Ayes: Councilmen Binder, Dryden, Handcox, Lebermann, Mayor Butler,  
Mayor Pro Tem Love  
Noes: None  
Absent: Councilman Friedman

#### HEARING WITHDRAWN ON SOLID WASTE COMPACTION AND TRANSFER FACILITY

The hearing that had been scheduled for 1:00 p.m. upon the request of Mr. Johnny Voudouris, Travis County Commissioner, to construct a solid waste compaction and transfer facility on F.M. 620, approximately 1,000 feet north of the intersection of F.M. 620 and U. S. Highway 71, was withdrawn upon the request of the applicant.

#### ANNEXATION HEARING WITHDRAWN

The following annexation hearing scheduled for 1:00 p.m. was withdrawn:

Total of 55.33 acres of land:

1. 35.77 acres of land known as TURBINE SOUTH, out of the Sims League. (Requested by Bovay Engineers, Inc., representing Nelson Puett, Jr., owner.)
2. 2.46 acres of land known as TURBINE SOUTH ADDITION NO. 1, out of the Sims League. (Requested by Bovay Engineers, Inc., representing Nelson Puett, Jr., owner.)
3. 17.10 acres of land out of the Sims League. (Initiated by the City of Austin.)

#### RELEASE OF EASEMENTS

Mayor Pro Tem Love moved that the Council adopt a resolution authorizing release of the following easement:

A portion of the electric and telephone easement seven and one-half (7.50) feet in width in Lot 4, Block 3, PLEASANT GROVE ADDITION. (Requested by Clinton P. Rippey, Registered Public Surveyor, representing Frank Jordan, Inc., owner.)

The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Mayor Butler, Mayor Pro Tem Love, Councilmen Dryden,  
Handcox, Lebermann  
Noes: None  
Absent: Councilman Friedman  
Not in Council Chamber when roll was called: Councilman Binder

Mayor Pro Tem Love moved that the Council adopt a resolution authorizing release of the following easement:

A portion of the public utilities easement seven and one-half (7.50) feet in width at rear of Lot 2, Block C, QUAIL CREEK WEST, SECTION ONE. (Requested by Reuben R. Goocher, owner.)

The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Mayor Butler, Mayor Pro Tem Love, Councilmen Dryden,  
Handcox, Lebermann  
Noes: None  
Absent: Councilman Friedman  
Not in Council Chamber when roll was called: Councilman Binder

#### LICENSE AGREEMENT

Councilman Lebermann moved that the Council adopt a resolution granting the following license agreement:

REUBEN R. GOOCHER - Permitting encroachment by a concrete deck or walkway of a swimming pool over a portion of the public utilities easement seven and one-half (7.50) feet in width in Lot 2, Block C, QUAIL CREEK WEST, SECTION ONE, said deck or walkway being three (3.00) feet in width, locally known as 9008 Hunters Trace. (Requested by Reuben R. Goocher, owner.)

The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilmen Dryden, Handcox, Lebermann, Mayor Butler,  
Mayor Pro Tem Love, Councilman Binder  
Noes: None  
Absent: Councilman Friedman

#### CONTRACTS AWARDED

Councilman Lebermann moved that the Council adopt a resolution awarding the following contract:

AUSTIN PIPE & SUPPLY COMPANY	- 16" Asbestos Cement Pipe, Class
300 Medina	150 for Wastewater Collection
Austin, Texas	Division.
	Item 1; 1,500 feet - \$12,900.00

The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilmen Handcox, Lebermann, Mayor Butler, Mayor Pro Tem  
Love, Councilmen Binder, Dryden  
Noes: None  
Absent: Councilman Friedman

Councilman Lebermann moved that the Council adopt a resolution awarding the following contracts:

Bid award:	- For Retread and Section Repair of Tires, Department of Vehicle and Equipment Services. Twelve-months' supply agreement
TIRE MILEAGE OF AUSTIN 3902 Woodbury Austin, Texas	- Items 1-25 - \$8,672.63
WALKER TIRE COMPANY 7107 North Lamar Boulevard Austin, Texas	- Items 26-30- \$4,940.00

The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilmen Handcox, Lebermann, Mayor Butler, Mayor Pro Tem Love, Councilmen Binder, Dryden  
Noes: None  
Absent: Councilman Friedman

In response to Councilman Binder's question, Mr. Jarold Johnson, Chief of Maintenance, Vehicle and Equipment Services, indicated that the retread tires had to meet the same standards as if purchased new; and in reference to the mileage, the recaps for trucks could get from 60,000 to 70,000 miles.

Councilman Lebermann moved that the Council adopt a resolution awarding the following contract:

CENTEX MATERIALS, INC. Travis Division 55 North Interregional Austin, Texas	- Used Concrete Mixer Truck for Vehicle and Equipment Services Department Item 1; 1 ea. @ \$12,500.00
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The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilmen Handcox, Lebermann, Mayor Butler, Mayor Pro Tem Love, Councilmen Binder, Dryden  
Noes: None  
Absent: Councilman Friedman

Mr. Homer Reed, Deputy City Manager, noted that it was unusual to buy used trucks but in this case the local companies had established a minimum of what they would deliver without charging for delivery. He felt that the City could save about \$40 per trip by owning this piece of equipment. In response to Mayor Butler's question, Mr. Johnson stated that there were three bids and that the two lower bids were for equipment that was too old and worn and that this truck had a few minor repairs to be made; however, the owner had agreed to make these repairs before turning the truck over to the City. In response to Mayor Pro Tem Love's question, Mr. John German, Public Works, Street and Bridge Division, stated that this vehicle would be used about 4 to 6 hours per day. In response to Councilman Lebermann's statement, Mr. German indicated that a new truck would take from 10 to 12 months for delivery and would cost around \$50,000.

Councilman Lebermann moved that the Council adopt a resolution awarding the following contract:

U. S. PIPE & FOUNDRY COMPANY  
2401-A Vinson Street  
Dallas, Texas

- 12" Class 6 Ductile Iron Boltless  
Ball Joint River Crossing Pipe  
for Water Distribution Division.  
Item 1; 462 ft. @ \$34.13/ft.  
Total - \$15,768.06  
(subject to escalation)

The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilmen Handcox, Lebermann, Mayor Butler, Mayor Pro Tem  
Love, Councilmen Binder, Dryden  
Noes: None  
Absent: Councilman Friedman

#### REJECTION OF BID

Councilman Lebermann moved that the Council adopt a resolution rejecting the following bid:

Rejection of bid

- For Drainage Improvements in  
Branchwood Drive, Indian Hills,  
Sections 1 and 5.

The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilmen Handcox, Lebermann, Mayor Butler, Mayor Pro Tem  
Love, Councilmen Binder, Dryden  
Noes: None  
Absent: Councilman Friedman

#### COST DIFFERENCE PAYMENT

Councilman Lebermann moved that the Council adopt a resolution authorizing payment to M/J DEVELOPMENT COMPANY, Dick Matz, President, for the cost difference of 12"/8" water mains in Willow Bend Addition, Section 1, in the amount of \$8,934.56. The motion, seconded by Councilman Handcox, carried by the following vote:

Ayes: Councilmen Handcox, Lebermann, Mayor Butler, Mayor Pro Tem  
Love, Councilmen Binder, Dryden  
Noes: None  
Absent: Councilman Friedman

#### CASH SETTLEMENT

Councilman Lebermann moved that the Council adopt a resolution authorizing cash settlement as follows:

M/J DEVELOPMENT CO., INC., Dick Matz, President - 75%/25% cash settlement for wastewater approach main to Willow Bend Addition, Section 1. Total cost will be \$2,866.50. City's share at 75% will be \$2,149.88; developer's share at 25% will be \$716.62.

The motion, seconded by Councilman Handcox, carried by the following vote:

Ayes: Councilman Lebermann, Mayor Butler, Mayor Pro Tem Love,  
Councilmen Dryden, Handcox  
Noes: Councilman Binder  
Absent: Councilman Friedman

#### ACTION TAKEN ON SUBSTANDARD STRUCTURES

It was noted that various substandard structures, which had not been repaired or demolished within the required time, had been recommended by the Building Standards Commission that the Legal Department take proper legal disposition of them and were now before the Council for consideration. Mr. Lonnie Davis, Building Official, noted that there had been a request by Messrs. Eugene and Earl Wukasch for a 90-day extension.

Councilman Lebermann moved that the Council accept the recommendations from the Building Standards Commission that the Legal Department take proper legal disposition of the following:

4323 James Casey Street	- James F. Dear, Jr.
916 Vargas Road	- John Ramirez
1008 Vasquez	- Carroll P. Young
800 West 34th Street	- John C. Cantu
802 West 34th Street	- John C. Cantu
804 West 34th Street	- John C. Cantu
3402 West Avenue	- John C. Cantu

and granted a 90-day extension on the following:

5225 North Lamar Boulevard	- Eugene & Earl Wukasch
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The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Mayor Butler, Mayor Pro Tem Love, Councilmen Binder, Dryden,  
Handcox, Lebermann  
Noes: None  
Absent: Councilman Friedman

#### APPLICATION FOR FUNDING OF TAXIWAY IMPROVEMENTS

Councilman Binder moved that the Council adopt a resolution authorizing the City Manager to submit an application with the Federal Aviation Administration for funding of taxiway improvements at the terminal ramp in the amount of \$84,666.00. The motion, seconded by Mayor Pro Tem Love, carried by the following vote:

Ayes: Mayor Pro Tem Love, Councilmen Binder, Dryden, Handcox,  
Lebermann, Mayor Butler  
Noes: None  
Absent: Councilman Friedman

#### REVIEW OF ONE-WAY STREET SYSTEM WITHDRAWN

It was noted that Mr. Larry Bales had requested a review of the plan establishing the approved one-way street system for 16th, 17th and 18th Streets and that this had been postponed from August 1, 1974, pending review of possible alternatives. However, it was further noted that Mr. Bales concurred with the system after conversations with the Urban Transportation Department. Therefore, this item was withdrawn.

#### HEARING SET ON SOUTHERN UNION GAS COMPANY'S REQUEST RATE INCREASE

Mayor Pro Tem Love moved that the Council set a hearing for September 12, 1974, at 1:00 p.m. on the request of Southern Union Gas Company's requested gas rate increase. The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilmen Binder, Dryden, Handcox, Lebermann, Mayor Butler,  
Mayor Pro Tem Love  
Noes: None  
Absent: Councilman Friedman

#### APPLICATION FOR ETHNIC HISTORY COUNCIL

Councilman Handcox moved that the Council adopt a resolution authorizing the City Manager to submit an application to the National Endowment for the Humanities for possible funding of a \$100,000.00 grant to establish an Ethnic History Council and a supportive staff for the organization of local ethnic historical materials in preparation of Multi-Ethnic exhibits in coordination with the Austin Bicentennial Celebration. The motion, seconded by Mayor Pro Tem Love, carried by the following vote:

Ayes: Councilmen Dryden, Handcox, Lebermann, Mayor Butler,  
Mayor Pro Tem Love, Councilman Binder  
Noes: None  
Absent: Councilman Friedman

#### SELECTION OF INDEPENDENT AUDITOR

Councilman Lebermann moved that the Council select Main LaFrentz and Company for the audit of the records of 1973-74 fiscal year. The motion, seconded by Mayor Pro Tem Love, carried by the following vote:

Ayes: Councilmen Handcox, Lebermann, Mayor Butler, Mayor Pro Tem  
Love, Councilmen Binder, Dryden  
Noes: None  
Absent: Councilman Friedman

Deputy City Manager Reed noted that this would be the third year the City had utilized their services.

## CONTRACT FOR INSTALLATION OF RAILROAD CROSSING PROTECTION DEVICES

Councilman Lebermann moved that the Council adopt a resolution authorizing the City Manager to enter into a contract with the Southern Pacific Transportation Company for installation of railroad crossing protection devices at Lyons Street. The motion, seconded by Councilman Binder, carried by the following vote:

Ayes: Councilmen Handcox, Lebermann, Mayor Butler, Mayor Pro Tem Love, Councilmen Binder, Dryden  
Noes: None  
Absent: Councilman Friedman

## REQUEST CONCERNING CHRISTIE'S TOWN LAKE TOUR BOAT

Mr. Christie Sarris appeared before the Council to request permission to serve food and beverages on the Christie's Town Lake Tour Boat. He stated that he had made this request in that he felt that this would enhance the boat and make for a more interesting trip. In response to Mayor Pro Tem Love's remark that Mr. Sarris had appeared before the Council in March requesting permission to operate the boat but had indicated that he would not serve food and beverages, Mr. Sarris indicated that since then he had decided this would enhance the trip and noted that he was requesting permission to conduct this at about 8:00 p.m. in the spring and fall. Councilman Lebermann stated that Mr. Sarris would have to conform to the City's ordinance requiring that boats have restroom facilities if it were to hold over 20 people. It was noted that this boat would hold over 30 people. In response to this, Mr. Sarris did not believe there was room on the boat for restroom facilities.

Mr. Allen Searight, member of the City's Navigation Board, stated that it had been past procedure for the Board to hear these types of applications prior to the Council. Therefore, after further discussion, Mayor Pro Tem Love moved that the Council refer this matter to the Navigation Board for their recommendation. The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilman Lebermann, Mayor Butler, Mayor Pro Tem Love, Councilmen Binder, Dryden, Handcox  
Noes: None  
Absent: Councilman Friedman

Mr. Jerry Dorf appeared and stated that he felt the public should be able to operate motor boats on Town Lake and should take priority over commercial boats. Mr. Dorf was informed that this was not the issue before the Council and that he could request to be placed on the agenda.

## REQUEST BY SER CONCERNING CAPITAL AREA MANPOWER PLAN

It was noted that Ms. Annabelle Valle, Project Director of SER, had requested to appear before the Council to request approval of modification to include SER for \$218,000 in the Capital Area Manpower Plan. However, because Ms. Valle was not present, this item was not considered.

## REQUEST FOR USE OF CITY-OWNED LOT

Councilman Dryden moved that the Council approve a request by Mr. Harold P. Laves, President of (Downtown) Austin Optimist Club, for permission to use a City-owned lot at the corner of San Gabriel and North Lamar from Thanksgiving Day until December 22, 1974, for Christmas trees. The motion, seconded by Mayor Pro Tem Love, carried by the following vote:

Ayes: Mayor Butler, Mayor Pro Tem Love, Councilmen Binder, Dryden,  
Handcox, Lebermann  
Noes: None  
Absent: Councilman Friedman

## HEARING SET ON PROPOSED TELEPHONE RATE INCREASE

Mayor Pro Tem Love set a public hearing for August 29, 1974, at 1:00 p.m. at the request of Mr. Gray Bryant, Division Manager of Southwestern Bell Telephone Company, for the purpose of considering the Telephone Company's proposed rate increase. The motion, seconded by Councilman Handcox, carried by the following vote:

Ayes: Mayor Pro Tem Love, Councilmen Binder, Dryden, Handcox,  
Lebermann, Mayor Butler  
Noes: None  
Absent: Councilman Friedman

## REQUEST WITHDRAWN CONCERNING PROPERTY

It was noted that Mr. D. C. Ebner had requested to appear before the Council regarding property owned by Mrs. Susie Barr, located at 2705 Canterbury Street. However, upon the request of Mr. Ebner, this item was withdrawn.

## REVISION OF PURCHASED GAS ADJUSTMENT CLAUSE

An amendment to Southern Union Gas Company's Rate Ordinance revising the Purchased Gas Adjustment Clause, as requested by Southern Union, was before the Council for consideration. Mr. Robert M. Laczko, District Manager of Southern Union, thanked the Council for the opportunity to appear and requested that separate consideration be given to the Purchased Gas Adjustment Clause (P.G.A.C.) which had been submitted with their request for adjustment of rates.

Mr. A. S. Grenier, Vice-President and General Counsel for Southern Union, referred to a letter dated June 17, 1974, from Southern Union in which Mr. Laczko had reviewed some of the problems they still faced with LoVaca Gathering Company's supply of gas:

1. Fluctuation of price.
2. Reliability of gas supply.

He reviewed the proposed revisions to the Purchased Gas Adjustment Clause:

1. Multiple sources of gas - He felt it was necessary that they obtain additional supplies of natural gas from producers in the field other than LoVaca.
2. Taxes on revenues - He stated that all utility revenues collected by the Company required payment of 2% in gross receipt taxes to the City and 1.997% to the State. The proposed P.G.A.C. would eliminate this by providing that each adjustment in rates shall be 104% of the amount required to compensate for the related change in gas costs.
3. Unaccounted for gas - He stated that no gas distribution system as large as Southern Union could be maintained economically in a tight condition at all times and that there would be a certain amount of leakage, which would account for a certain amount of inaccuracy.

He reviewed their purchases and sales from July, 1973, to June, 1974, with some 12,500,000 mcf of gas purchased and 11,800,000 mcf of gas sold. He submitted copies of the tabulation to the Council.

4. Stability of rates - This would contemplate 6-month balancing periods subject to change only when a special situation arose that had not been foreseen.

He stated that one of the problems associated with this would be the possibility of some overcollection, and he added that there would be monthly reports to the Council as to the state of this balancing account. He noted that if there was an overcollection one month, they would credit that account at the end of the next month with 2/3 of 1% interest of the amount of overcollection. He did not believe that the amount of the interest was as significant as the fact that they were willing to do it and added that this was not planned to give them free use of the customer's money.

As contained in his letter to Mr. Don Butler, City Attorney, on August 13, 1974, Mr. Grenier reiterated that a change had been made in the clause so that adjustments would be made effective at the beginning of the Company's February and August billing months during each year and that the first adjustment would cover only the 4-month period from October, 1974, through January, 1975. In conclusion, he requested that this amendment be approved and requested that it be passed through all three readings today if possible.

In response to Mayor Butler's question, Mr. Butler reviewed the items of the P.G.A.C. in regard to the City's position:

1. Multiple source of gas - He was in agreement with this.
2. Taxes on revenues - In agreement with this.
3. Unaccounted for gas - He was not in agreement with this.

There was discussion by Mr. Butler and Mr. Grenier with regard to the unaccounted for gas. Mr. Grenier suggested that this be put on a trial basis and the Council recognize that at any time it could be changed. Mayor Butler wondered if the Council could approve the items upon which the City and Southern Union had agreed for a 30 or 60-day period and run a study on bills under this plan and the existing plan. Mr. Grenier felt that this could be done; however, he stated that he would prefer to go back and use the past 12 months and give a graphic presentation of what the results would have been under this proposal. He felt that something could be approved today through the first reading, and then they could come back for second and third readings with this data on hand.

Mr. Butler wanted this study done because he felt the City should know what the proposal would accomplish. He suggested that the City's consultants make some recommendation on this at the time of the final reading. However, he recommended that the Council approve the City's proposal for the present with the understanding that further review be given after the completion of Southern Union's computer runs along with the consultants' review. In response to this, Mr. Grenier felt it was a step in the right direction; but he commented that this recommendation was soundly based and in the public interest and felt it should be granted.

Mr. Grenier noted that in the City's proposal for the P.G.A.C. there was a verbage change to read: "...the weighted average price paid by the Company for gas purchased for distribution to consumers in the City of Austin increases or decreases from a base of 20.5 cents per MCF..." It was noted that this was on Line 9 of Section 3(a).

Mayor Butler introduced the following ordinance:

AN ORDINANCE AMENDING SECTION 3(a) OF ORDINANCE NO. 711014-E, AS AMENDED, BY PROVIDING FOR CERTAIN ADJUSTMENTS TO THE RATES OF SOUTHERN UNION GAS COMPANY.

Councilman Lebermann moved the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance effective immediately. The motion, seconded by Councilman Handcox, carried by the following vote:

Ayes: Councilmen Binder, Dryden, Handcox, Lebermann, Mayor Butler,  
Mayor Pro Tem Love

Noes: None

Absent: Councilman Friedman

The Mayor announced that the ordinance had been finally passed.

#### REQUEST CONCERNING NAMING OF POINT ON TOWN LAKE

It was noted that members of the Committee for a More Beautiful Town Lake had requested to appear before the Council concerning the naming of a particular point on Town Lake. Mrs. Joy Scott appeared in connection with this request to name the southwest corner of Barton Creek on Town Lake "Lou Neff Point." She noted that Mrs. Lou Neff had been a member of the Committee and had passed away on May 27. She added that the Committee had voted to financially underwrite the planting on this Point. She noted that there were plans for a pavilion in the area, and they had voted to do the landscaping for this.

In response to Mayor Pro Tem Love's question, Mr. Les Gage, Co-Chairman, stated that it had been their policy on Town Lake not to erect memorials on Town Lake of someone who had made a contribution or donation; however, they would accept the wishes of the Council. Mayor Pro Tem Love expressed his concern that this be identified in some manner in the future, such as a sign pointing toward the Point. In connection with this, Mr. Jack Robinson, Parks and Recreation Director, indicated that this would fit in with the sign already there.

Councilman Lebermann moved that the Council adopt a resolution naming the southwest corner of Barton Creek on Town Lake as "Lou Neff Point" and presented the resolution, which had been signed by Mayor Butler and Council members, to Messrs. Les Gage, Russell Fish, Jack Robinson, Mrs. Joy Scott, Mrs. Ann Butler and Ms. Carolyn Curtis. The motion, seconded by Mayor Pro Tem Love, carried by the following vote:

Ayes: Councilmen Dryden, Handcox, Lebermann, Mayor Butler, Mayor Pro Tem Love, Councilman Binder  
Noes: None  
Absent: Councilman Friedman

#### ZONING ORDINANCES

Mayor Butler introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND CHANGING THE USE MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:  
LOT 1, BLOCK A, PUSCHMAN SUBDIVISION, LOCALLY KNOWN AS 412-418 STASSNEY LANE, FROM "A" RESIDENCE DISTRICT TO "O" OFFICE DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THAT ORDINANCES BE READ ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY. (Bronislaw Puschman, et ux, C14-74-068)

Mayor Pro Tem Love moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance effective immediately. The motion, seconded by Councilman Handcox, carried by the following vote:

Ayes: Councilmen Handcox, Lebermann, Mayor Butler, Mayor Pro Tem Love, Councilmen Binder, Dryden  
Noes: None  
Absent: Councilman Friedman

The Mayor announced that the ordinance had been finally passed.

Mayor Butler introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:  
(1) LOT 7, LESS THE NORTH TEN FEET, DIVISION "D," OUTLOT 23, LOUIS HORST SUBDIVISION, LOCALLY KNOWN AS 600 WEST 19th STREET AND 1900 NUECES STREET, FROM "C" COMMERCIAL DISTRICT TO "C-2" COMMERCIAL DISTRICT; AND,

- (2) LOT 2, WASSON ROAD SUBDIVISION, LOCALLY KNOWN AS 5409 WASSON ROAD, FROM "A" RESIDENCE DISTRICT TO "C" COMMERCIAL DISTRICT; AND,
- (3) LOT 1 OF THE RESUBDIVISION OF LOTS 1, 2 AND 3 AND A PORTION OF LOT 17, BLOCK "E," PLAZA PLACE SUBDIVISION, LOCALLY KNOWN AS 6801-6811 NORTH LAMAR BOULEVARD AND 704-724 RAYMOND STREET, FROM "D" INDUSTRIAL DISTRICT TO "C-2" COMMERCIAL DISTRICT; AND,
- (4) LOTS 5 AND 6, J. T. PARKER'S ADDITION, LOCALLY KNOWN AS 708-800 SOUTH 1ST STREET, FROM "A" RESIDENCE DISTRICT TO "B" RESIDENCE DISTRICT; AND,
- (5) A 3.16 ACRE TRACT OF LAND, LOCALLY KNOWN AS 6023-6205 SOUTH INTERSTATE HIGHWAY 35, FROM "A" RESIDENCE DISTRICT TO "GR" GENERAL RETAIL DISTRICT; AND,
- (6) TRACT 1: THE SOUTH 150 FEET OF THE EAST 10 FEET OF LOT "C," MEDICAL PARK SUBDIVISION NO. 2, FROM "A" RESIDENCE DISTRICT TO "LR" LOCAL RETAIL DISTRICT; AND,
- TRACT 2: THE NORTH 240.95 FEET OF THE EAST 10 FEET OF LOT "C," MEDICAL PARK SUBDIVISION NO. 2, FROM "A" RESIDENCE DISTRICT TO "O" OFFICE DISTRICT; AND LOCALLY KNOWN AS 1200 WEST 38TH STREET AND 1201 WEST 39TH STREET; AND,
- (7) TRACT 1: THE WESTERNMOST 350 FEET OF A 6.02 ACRE TRACT OF LAND, FROM "B" RESIDENCE DISTRICT TO "O" OFFICE DISTRICT; AND,
- TRACT 2: THE WESTERNMOST 350 FEET OF A 5.12 ACRE TRACT OF LAND, FROM "B" RESIDENCE DISTRICT TO "O" OFFICE DISTRICT; LOCALLY KNOWN AS 4629-4813 MANOR ROAD; AND,
- (8) A 2,880 SQUARE FOOT TRACT OF LAND, LOCALLY KNOWN AS 7115 BURNET ROAD, FROM "GR" GENERAL RETAIL, FIRST HEIGHT AND AREA DISTRICT AND "GR" GENERAL RETAIL, SIXTH HEIGHT AND AREA DISTRICT TO "C-2" COMMERCIAL, SIXTH HEIGHT AND AREA DISTRICT; AND,
- (9) LOTS 21, 25, 26 AND 27, BLOCK 10, NORTH LOOP TERRACE SUBDIVISION, LOCALLY KNOWN AS 5300-5306 JOE SAYERS AVENUE AND 1500-1504 NORTH LOOP BOULEVARD, FROM "B" RESIDENCE DISTRICT TO "LR" LOCAL RETAIL DISTRICT;
- ALL OF SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY. (Walter Wukasz, C14-74-086; Rocky Hernandez and Ruby Hernandez, C14-74-088; James K. Eichelberger, Jr., C14-74-089; Edmund Greber, C14-74-093; Alvin J. Ricles, C14-74-097; H. C. Carter, Jr., Trustee, C14-74-096; Phil Mockford, Trustee, C14-74-087; James K. Eichelberger, Jr., Lee Blocker, Leon Howard, & Charles Howard, C14-74-090; Gov. Allan Shivers, John Shivers and C. McAden, C14-73-246)

Mayor Pro Tem Love moved the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance effective immediately. The motion, seconded by Councilman Handcox, carried by the following vote:

Ayes: Councilmen Handcox, Lebermann, Mayor Butler, Mayor Pro Tem Love, Councilmen Binder, Dryden

Noes: None

Absent: Councilman Friedman

The Mayor announced that the ordinance had been finally passed.

#### REFUND CONTRACT - ALL READINGS

Mayor Butler introduced the following ordinance:

AN ORDINANCE AUTHORIZING THE CITY MANAGER OR THE DEPUTY CITY MANAGER TO ENTER INTO A CERTAIN REFUND CONTRACT WITH M/J DEVELOPMENT COMPANY, INCORPORATED. (Willow Bend Addition, Section 1)

Mayor Pro Tem Love moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance effective immediately. The motion, seconded by Councilman Lebermann, carried by the following vote:

Ayes: Councilmen Handcox, Lebermann, Mayor Butler, Mayor Pro Tem Love, Councilman Dryden  
Noes: Councilman Binder  
Absent: Councilman Friedman

The Mayor announced that the ordinance had been finally passed.

#### APPROACH MAIN CONTRACT - THIRD READING

Mayor Butler brought up the following ordinance for its third reading:

AN ORDINANCE AUTHORIZING THE CITY MANAGER OR THE DEPUTY CITY MANAGER TO ENTER INTO A CERTAIN REFUND CONTRACT WITH JAGGER ASSOCIATES, INCORPORATED. (Oak Hollow Subdivision)

The ordinance was read the third time, and Mayor Pro Tem Love moved the ordinance be finally passed. The motion, seconded by Councilman Lebermann, carried by the following vote:

Ayes: Councilmen Handcox, Lebermann, Mayor Butler, Mayor Pro Tem Love, Councilman Dryden  
Noes: Councilman Binder  
Absent: Councilman Friedman

The Mayor announced that the ordinance had been finally passed.

#### REFUND CONTRACTS - SECOND AND THIRD READINGS

Mayor Butler brought up the following ordinance for its second reading:

AN ORDINANCE AUTHORIZING THE CITY MANAGER OR THE DEPUTY CITY MANAGER TO ENTER INTO CERTAIN REFUND CONTRACTS WITH SPICEWOOD DEVELOPMENT COMPANY, INCORPORATED, AND PRINGLE REAL ESTATE, INCORPORATED. (Balcones Village, Sections 3 and 5; Mesa Park, Section 5)

The ordinance was read the second time, and Mayor Pro Tem Love moved the Council waive the requirement for the third reading, declare an emergency and finally pass the ordinance effective immediately. The motion, seconded by Councilman Lebermann, carried by the following vote:

Ayes: Councilmen Handcox, Lebermann, Mayor Butler, Mayor Pro Tem Love, Councilman Dryden  
Noes: Councilman Binder  
Absent: Councilman Friedman

The Mayor announced that the ordinance had been finally passed.

## REFUND CONTRACTS - THIRD READINGS

Mayor Butler brought up the following ordinance for its third reading:

AN ORDINANCE AUTHORIZING THE CITY MANAGER OR THE DEPUTY CITY MANAGER TO ENTER INTO CERTAIN REFUND CONTRACTS WITH W. W. PATTERSON AND JAGGER ASSOCIATES, INCORPORATED. (Loyola Center, Timberline Subdivision, Oak Hollow Subdivision)

The ordinance was read the third time, and Mayor Pro Tem Love moved the ordinance be finally passed. The motion, seconded by Councilman Lebermann, carried by the following vote:

Ayes: Councilmen Handcox, Lebermann, Mayor Butler, Mayor Pro Tem Love, Councilman Dryden

Noes: Councilman Binder

Absent: Councilman Friedman

The Mayor announced that the ordinance had been finally passed.

## DELETIONS AND ADDITIONS TO SCHOOL SPEED ZONES

Mayor Butler introduced the following ordinance:

AN ORDINANCE AMENDING SECTION 21-41, SUBSECTIONS (d), (g), AND (j), AND SECTION 21-42, SUBSECTION (h) OF THE AUSTIN CITY CODE OF 1967, MAKING CERTAIN DELETIONS AND ADDITIONS TO SAID SUBSECTIONS, THEREBY DECLARING MAXIMUM PRIMA FACIE SPEED LIMITS ON CERTAIN STREETS WITHIN SCHOOL ZONES IN THE CITY OF AUSTIN, PURSUANT TO AND IN ACCORDANCE WITH THE PROVISIONS OF THE "UNIFORM ACT REGULATING TRAFFIC ON HIGHWAYS," (VERNON'S ANN. CIV. ST., ART. 6701d); REPEALING ALL ORDINANCES IN CONFLICT WITH THIS ORDINANCE; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

Councilman Lebermann moved the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance effective immediately. The motion, seconded by Councilman Handcox, carried by the following vote:

Ayes: Councilman Lebermann, Mayor Butler, Councilmen Binder, Dryden, Handcox

Noes: None

Absent: Councilman Friedman

Not in Council Chamber when roll was called: Mayor Pro Tem Love

The Mayor announced that the ordinance had been finally passed.

## EMERGENCY MEDICAL SERVICE REPORT

Mr. Joe Ternus, Urban Transportation Director, stated that in December, 1973, at the time the Council approved a two-year contract with Austin Ambulance Service, the Council requested that the staff review the existing ambulance service. He indicated that the Emergency Medical Service Report before the Council provided a brief history of ambulance service in Austin,

the current status of this service, a comparison of operations in Austin with other major cities and developing factors for an improved emergency medical service system which should include the following principles:

1. Systematic development of a total emergency medical system.
2. Provision of quality medical service based on Austin's needs.
3. Lowest service cost to the citizens.

He stated that the development of the system spoke to the level of service and the method of delivery of the service.

He reviewed the levels of service as follows:

1. Basic service which reduces the response time and provides for increased training and better equipment on the present services.
2. Intermediate service which increases training and provides some minor medical treatment capabilities.
3. Advanced service which is the level of medical service which is the most advanced in Texas at the present time.

He discussed the methods of providing the emergency medical service:

1. Municipally owned and operated through a Civil Service division.
2. Municipally owned and operated through a separate division.
3. Municipally owned and privately operated.
4. Privately owned and operated.

He noted that the report provided some cost information for each level of service:

1. Level "A" would entail \$910,000 for the first year of operation under municipally owned and operated through a Civil Service division and \$142,000 based on private ownership and operation.
2. Level "B" would entail \$978,000 for municipally owned and operated and \$176,000 for privately owned and operated.
3. Level "C" would entail \$1,060,000 for municipally owned and operated and \$417,000 for privately owned and operated.

He further noted that the report provided recommendations for the Council's consideration:

1. Appointment of Continuous Emergency Medical System Advisory Committee to advise and assist Council in the development of new medical service in this area.

2. Development of public information program to provide public with information about available services and how to obtain those services.
3. Commitment from medical community to provide advice and training to system personnel.
4. Provision of continuous and improved training programs for ambulance attendants.
5. Appropriate level of emergency medical service designed to meet Austin's needs.
6. Selection of effective and economical organization to provide desired services.

Mr. Ternus stated that it had been a pleasure to provide the information contained in this report, and he felt that Austin was very fortunate to have the professionals in the medical community that it did.

In response to Councilman Handcox's question, Mr. Ternus indicated that the first year costs included both capital and operating costs. As an example, he referred to the costs involved in Level "C". He noted that capital costs would include \$295,000 and operating costs would be \$950,000. He added that the \$950,000 would be the re-occurring cost every year. Councilman Dryden wanted to go on record that there was a question in his mind about the costs. In connection with this, Deputy City Manager Reed stated that he had requested that Chief Ed Kirkham, Austin Fire Department, analyze this in some detail and that Chief Kirkham felt that this \$950,000 figure was conservative. There was discussion in regard to the costs involved.

Dr. Tom Kirksey appeared and stated that he felt this represented a quality service and that the basic elements of this service should be:

1. Personnel
2. Equipment
3. Communication

He mentioned that in regard to the costs involved, there was public and federal money available and that the medical community was willing to provide the necessary education at no cost to the City for the emergency medical technicians. He felt that there had to be a career opportunity for these people in order to train them to the level of expertise necessary for a quality emergency medical transportation service.

Councilman Dryden did not want Austin Ambulance Service or its personnel to feel that they were going to have to go out of business before the contract was honored. He felt that the ambulance technicians had done a good job answering their calls but wanted to keep in mind that the service should be improved. He realized that improvements entailed added expenses, but he felt that this service should not cost this much. He commented that the report was excellent, but he felt that the amount of equipment that had been mentioned that was needed was overestimated. In regard to the recommendations made by Mr.

Ternus in the report, Councilman Dryden was in agreement with these; however, he felt that there was not an immediate need for the Continuous Emergency Medical System Advisory Committee.

Councilman Dryden felt that this needed to be studied, and Councilman Lebermann suggested that a study session be set on August 22 at 11:00 a.m.

Dr. Bob Dennison, Travis County Medical Society, noted that it would take a year or more to fully implement this concept. In regard to the cost, he felt that it should be reviewed in terms of how many lives were going to be saved as a result of this service. He quoted from the Texas Medical Association Journal, in which it stated that the most important component of this system was the emergency medical technician and that his pay must be commensurate with the responsibility which he would carry and that a provision must be made for some type of advancement in status and in pay in order that he might remain active in this type of service.

Dr. Dennison stated that he would be sending an article to the Council entitled "Some Day You Are Going to Need an Ambulance. When Your Day Comes, Will You Be Afraid to Take That Ride?" He felt that this was the problem.

Mr. Conwell Smith, owner of Austin Ambulance Service, felt that some of the statements that had been made contained gross inaccuracies. He pointed out that there were two ratings: (1) emergency care attendant and (2) emergency medical technician. He noted that all but four of his people were technicians and that those four were enrolled in the Emergency Medical Technician School. In regard to response time, he stated that a study had been made by the City which indicated that Austin Ambulance averaged 6 minutes; Houston averaged 5 minutes; San Antonio averaged 6 minutes; and Ft. Worth averaged 6 minutes.

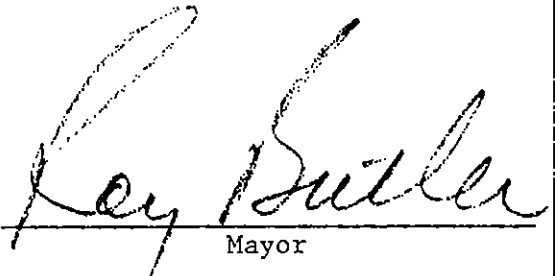
With the rising costs, he could not see putting an additional burden on taxpayers for additional service. He stated that they would meet and exceed any standards the City would want to set and that they would do a fine job.

It was determined that there would be a Special Meeting for a Work Session on this Report on August 22, 1974, at 11:00 a.m.

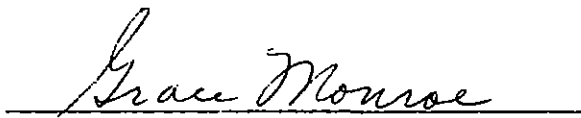
#### ADJOURNMENT

The Council adjourned at 4:15 p.m.

APPROVED:

  
Mayor

ATTEST:

  
City Clerk